

EXHIBIT UU

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MARYLAND

NORTHERN DIVISION

Case No. WDQ-02-CV-648

X

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, :

Plaintiff, :

KATHY C. KOCH, :

Intervenor/Plaintiff, :

vs. :

L.A. WEIGHT LOSS CENTERS, INC., :

Defendant. :

X

Videotaped Deposition of Antonio S. Conway

Washington, D.C.

Wednesday, November 24, 2004

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Job No.: 164295

Reported by: Deborah Larson Hommer, RPR

1 so I'm just kind of going as I go along trying
 2 to make sure I tell you the right things.

3 It was probably about a week in
 4 between that. Maybe a couple days, four days.
 5 The application did get to the right person.
 6 I was told that I wouldn't be a good fit
 7 because I was, you know, a male, that they
 8 didn't want any males working with women at
 9 that time.

10 Q. Who told you that?

11 A. Mercedes, an employee, Mercedes,
 12 whichever.

13 Q. What was your reaction to what
 14 Mercedes told you?

15 A. At that time it struck me as kind
 16 of odd, but, you know, I figured that it was
 17 policy. You know, given the situation of a
 18 male working with females one on one, I could
 19 understand at that time, but it just didn't --
 20 it didn't really put any fire into me. I just
 21 went, Okay, well, if that's their policy,
 22 that's their policy.

1 Q. Do you know -- did you ever -- did
 2 you have any discussions with Mercedes
 3 Generett on that subject?

4 A. No. I left it at that. I just
 5 figured it was their policy, and, you know.

6 Q. Did Mercedes say it was the
 7 company's policy?

8 A. At that time, yes, I would say,
 9 because I don't know what she knew. I just
 10 know what I was told. That's all.

11 Q. But you don't know if Mercedes
 12 Generett actually said to you, It is L.A.
 13 Weight Loss' policy to hire women for the
 14 position of counselor?

15 A. Well, I mean, I can't speak for
 16 what she knows as far as policy, but I was
 17 told that it was their policy for males not to
 18 work with females in that setting.

19 Q. Do you know whether Mercedes
 20 Generett spoke to Kim or anyone else about
 21 your application?

22 A. Yes. She spoke with Kim. She told

1 me that she did speak with Kim, and Kim
 2 relayed to her that the question about as far
 3 as male working with female was told by -- Kim
 4 told Mercedes to tell me that, to relay that
 5 message to me.

6 Q. Mr. Conway, do you have any
 7 experience with weight loss?

8 A. Only in the world of fitness.
 9 That's it, as far as exercising.

10 Q. At the time that you applied to
 11 L.A. Weight Loss -- again, we're talking about
 12 the first two applications, the one that was
 13 lost and the one that was, apparently, not
 14 lost -- had you had any experience with weight
 15 loss at that time?

16 A. No. Just basically dealing with
 17 fitness, recreation, that type of thing, and
 18 people skills.

19 Q. What type of fitness and recreation
 20 are you talking about?

21 A. We're talking anywhere from working
 22 out to fitness aerobics, basketball, leagues,

1 anything recreation. Basically I set up --
 2 set up leagues -- kids, adults -- and stuff
 3 like that, and the sports. You name it.

4 Q. Do you participate in sports
 5 yourself?

6 A. Yes.

7 Q. So in addition to participating in
 8 sports, I understand from your testimony that
 9 you worked with others in sports-related
 10 activities?

11 A. Yes. Anything from coaching to
 12 instructional.

13 Q. Did you ever speak with anyone by
 14 phone or in person other than Mercedes
 15 Generett about your application?

16 A. Nobody.

17 Q. Now, I would like to jump to the
 18 second application, which is technically the
 19 third application, but the second time that
 20 you applied for a job. You said you don't
 21 recall the exact time that you applied?

22 A. No.